FILED
08 MAY 28
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. **Grant Adam FUNK PARIS,** Defendant(s)	Magistrate Case No. '08 MJ 1676 COMPLAINT FOR VIOLATION OF: Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii) Transportation of Illegal Aliens

The undersigned complainant, being duly sworn, states:

On or about **May 26, 2008,** within the Southern District of California, defendant **Grant Adam FUNK PARIS** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Jose Alberto ARANDA-Rivera and Rey SEGURA-Ramirez,** had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **28th** DAY OF **MAY 2008**

Jan M. Adler
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Grant Adam FUNK PARIS

PROBABLE CAUSE STATEMENT

Furthermore, the complainant states that **Jose Alberto ARANDA-Rivera and Rey SEGURA-Ramirez** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On May 26, 2008 at approximately 9:15 p.m., Border Patrol Agent D. Judd was working the primary inspection position at the U.S. Border Patrol Traffic Checkpoint on State Route 94 in Jamul, California. The checkpoint was fully operational with all warning lights and signs in place.

At this time, a gray Nissan Sentra, bearing California license plates approached the primary inspection area. Agent Judd motioned for the vehicle to stop so he could conduct an immigration inspection. Agent Judd asked the driver later identified as the defendant **Grant Adam FUNK PARIS** where he was coming from and FUNK PARIS stated he had come from Campo. Agent Judd had just inspected a similar vehicle that was traveling in front of this vehicle and had also determined that the occupants were coming from Campo as well.

Believing that this vehicle may have been traveling in tandem with the other vehicle, Agent Judd asked FUNK PARIS if he had been traveling with the car that had just left the check point. The driver appeared perplexed by the question and became nervous. Agent Judd asked the driver, if he could look inside the trunk of the vehicle he was driving. FUNK PARIS gave consent and unlocked the trunk from the inside of his car. Agent Judd fully opened the trunk lid and observed two individuals lying in the trunk. Agent Judd believed the two individuals were illegal aliens and that FUNK PARIS was attempting to smuggle them through the checkpoint. Agent Judd secured the trunk and asked FUNK PARIS to shut off the vehicle and to step out of the vehicle. FUNK PARIS complied and was taken into custody and escorted to the secondary inspection area.

The vehicle was also moved to the secondary inspection area. Agent Judd re-opened the car trunk and identified himself as a Border Patrol Agent in the Spanish language and conducted an immigration inspection of the two individuals in the trunk. Rey SEGURA-Ramirez and Jose Alberto ARANDA-Rivera admitted to being citizens and nationals of Mexico and to being in the United States illegally. ARANDA and SEGURA were placed under arrest and escorted into the State Route 94 Border Patrol Checkpoint for further processing.

During search incident to arrest a pistol magazine loaded with 7 rounds of .45 caliber ammunition was found in the left rear pocket of defendant. Senior Patrol Agent T. Ward, Jr., conducted a vehicle inspection incident to the arrest and found a .45 caliber Haskell semi-automatic pistol concealed under the carpeting in the trunk. The weapon was concealed in the void between the fender sidewall and the floor of the trunk.

Loc

CONTINUATION OF COMPLAINT:
Grant Adam FUNK PARIS

DEFENDANT STATEMENT: Grant Adam FUNK PARIS

Grant Adam FUNK PARIS was advised of his Miranda rights. He that he understood her rights and was willing to answer questions without a lawyer present. FUNK PARIS stated that he is a United States citizen.

FUNK PARIS initially stated that he did not know how the people got in the trunk. Then he stated that he was moving a "load" for an unspecified amount. He said he thought it was going to be marijuana. He said he was going to drive the car to Van Houten Street in El Cajon, California, where he was to wait for a phone call for further instructions.

MATERIAL WITNESSES STATEMENTS:

Material Witnesses **Jose Alberto ARANDA-Rivera and Rey SEGURA-Ramirez** stated that they are citizens and nationals of Mexico illegally present in the United States. They stated that they do not have any immigration documents allowing them to be in the United States legally. They stated that arrangements had been made in Tijuana Baja California, Mexico to be smuggled into the United States. The two material witnesses stated that they were to pay $2,500.00 U.S. dollars to be smuggled into the United States. As soon as the sun went down they crossed the United States/Mexico border on foot as a group of four near Tecate, California. They followed the guide for approximately 2 hours before they arrived at a road where a four-door Nissan vehicle was parked. The foot guide opened the trunk and placed material witnesses into it. They rode for approximately a half an hour before coming to a stop and the Border Patrol opened the trunk and found them.